

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY DOCKET NUMBER
WATE-0014

U.S. APPLICATION NO. (if known see 37 CFR 1.5)
10/566,319

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/AU2004/001017	30 July 2004 (30.07.2004)	30 July 2003 (30.07.2003)

TITLE OF INVENTION **MULTI-LAYER TUBE OF IMPROVED PHYSICAL PROPERTIES**APPLICANT(S) FOR DO/EO/US **Kevin Adams and Mariano Villaescusa**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10. An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.182-1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:
 - **Loss of Entitlement;**
 - **Communication.**

EXPRESS MAIL Mailing Label No: N/A
Date of Deposit:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid IMB control number.

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5) 10/566,319	INTERNATIONAL APPLICATION NO. PCT/AU2004/001017	ATTORNEY DOCKET NUMBER WATE-0014
The following fees are submitted:		
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))		\$300
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$0.00
All other situations		\$200
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB All other situations		\$0 \$100 \$400 \$500
TOTAL of 21, 22 and 23 =		\$
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	/50=	X \$250
Surcharge of \$130.00 for furnishing any of the search fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$130.00
Claims	Number Filed	Number Extra
Total claims	19- 20 =	0
Independent Claims	2- 3 =	0
Multiple dependent claims(s) (if applicable)		+ \$360
TOTAL OF ABOVE CALCULATIONS =		\$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$
SUBTOTAL =		\$130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$
TOTAL NATIONAL FEE =		\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		
TOTAL FEES ENCLOSED =		\$130.00
		Amount to be: refunded
		Amount to be charged

a. A check in the amount of \$ _____ to cover the above fee is enclosed.

b. Please charge my Deposit Account No. 23-3050 in the amount of **\$130.00** to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

/Harold H. Fullmer/

SIGNATURE

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Harold H. Fullmer

NAME

42,560

REGISTRATION NUMBER

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Kevin Adams and Mariano Villaescusa**

U.S. Serial No.: **10/566,319**

Confirmation No.: **1925**

U.S. Filing Date: **Not Yet Assigned**

Group Art Unit: **not yet known**

International Application No.: **PCT/AU2004/001017**

Examiner: **not yet assigned**

International Filing **30 July 2004**

For: **MULTI-LAYER TUBE OF IMPROVED PHYSICAL PROPERTIES**

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application was filed without an executed Declaration/Power of Attorney. Although no "Notification of Missing Requirements" has been received, applicant herewith submits the executed copy along with the required surcharge of \$130.00 under 37 CFR 1.16(e).

A Preliminary Amendment and Loss of Entitlement are also submitted.

Respectfully submitted,

Date: May 10, 2007

/Harold H. Fullmer/

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Kevin Adams and Mariano Villaescusa

Application No.: 10/566,319

Filing Date: Not Yet Known

Confirmation No.: 1925

Group Art Unit: not yet assigned

Examiner: Not Yet Assigned

For: MULTI-LAYER TUBE OF IMPROVED PHYSICAL PROPERTIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS
(37 CFR 1.28(b))**

Applicant hereby notifies the Patent and Trademark Office that it is no longer entitled to status as a Small Entity, and that the claim for Small Entity status, set forth in the Verified Statement filed on **January 26, 2006**, is hereby withdrawn.

Date: May 10, 2007

/Harold H. Fullmer/
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